

Senate Engrossed House Bill

**FILED**

**JANICE K. BREWER  
SECRETARY OF STATE**

State of Arizona  
House of Representatives  
Forty-sixth Legislature  
Second Regular Session  
2004

CHAPTER 139

## **HOUSE BILL 2382**

AN ACT

AMENDING SECTIONS 44-1373 AND 44-1373.01, ARIZONA REVISED STATUTES; RELATING  
TO SOCIAL SECURITY NUMBERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 44-1373, Arizona Revised Statutes, is amended to read:

44-1373. Restricted use of social security numbers; definition

A. Except as otherwise specifically provided by law, beginning on January 1, 2005, a person or entity shall not:

1. Intentionally communicate or otherwise make an individual's social security number available to the general public.

2. Print an individual's social security number on any card required for the individual to receive products or services provided by the person or entity.

3. Require the transmission of an individual's social security number over the internet unless the connection is secure or the social security number is encrypted.

4. Require the use of an individual's social security number to access an internet web site, unless a password or unique personal identification number or other authentication device is also required to access the site.

5. Print an individual's social security number on any materials that are mailed to the individual, unless state or federal law requires the social security number to be on the document to be mailed. This paragraph does not prohibit the mailing of documents that include social security numbers sent as part of an application or enrollment process or to establish, amend or terminate an account, contract or policy or to confirm the accuracy of the social security number.

B. Notwithstanding subsection A, a person or entity that before January 1, 2005 used an individual's social security number in a manner inconsistent with subsection A may continue using that individual's social security number in that manner on and after January 1, 2005 subject to the following conditions:

1. The use of the social security number must be continuous. If the use is stopped for any reason, subsection A applies.

2. Beginning in 2005, the person or entity must provide the individual with an annual written disclosure of the individual's right to stop the use of the social security number in a manner prohibited by subsection A.

3. If the individual requests in writing, the person or entity must stop using the social security number in a manner prohibited by subsection A within thirty days after receiving the request. No fee or charge is allowed for implementing the request, and the person or entity shall not deny services to the individual because of the request.

C. This section does not prohibit the collection, use or release of a social security number as required by the laws of this state or the United States or for internal verification or administrative purposes.

1 D. Beginning on January 1, 2005, this state or any political  
2 subdivision of this state shall not use an individual's social security  
3 number on state issued or political subdivision issued forms of  
4 identification.

5 E. THIS SECTION DOES NOT PROHIBIT AN AGENCY OF THIS STATE OR A COUNTY,  
6 CITY, TOWN OR OTHER POLITICAL SUBDIVISION OF THIS STATE FROM DISSEMINATING  
7 OR USING THE LAST FOUR NUMBERS OF AN INDIVIDUAL'S SOCIAL SECURITY NUMBER.

8 F. A GOVERNMENT AGENCY SHALL NOT TRANSMIT TO AN INDIVIDUAL MATERIAL  
9 THAT CONTAINS BOTH AN INDIVIDUAL'S SOCIAL SECURITY NUMBER AND BANK, SAVINGS  
10 AND LOAN ASSOCIATION OR CREDIT UNION ACCOUNT NUMBER. THIS PARAGRAPH DOES NOT  
11 PROHIBIT THE TRANSMITTING OF DOCUMENTS THAT INCLUDE SOCIAL SECURITY AND BANK,  
12 SAVINGS AND LOAN ASSOCIATION OR CREDIT UNION ACCOUNT NUMBERS AS A PART OF AN  
13 APPLICATION OR ENROLLMENT PROCESS OR TO ESTABLISH, AMEND OR TERMINATE AN  
14 ACCOUNT, CONTRACT OR POLICY OR TO CONFIRM THE ACCURACY OF THE SOCIAL  
15 SECURITY, BANK, SAVINGS AND LOAN ASSOCIATION OR CREDIT UNION ACCOUNT NUMBER.

16 ~~E.~~ G. For purposes of this section, "individual" means a resident of  
17 this state.

18 Sec. 2. Section 44-1373.01, Arizona Revised Statutes, is amended to  
19 read:

20 44-1373.01. Exceptions

21 This article does not apply to:

22 1. The use of social security numbers by ~~an agency of this state~~ THE  
23 DEPARTMENT OF REVENUE or by a LAW ENFORCEMENT AGENCY OF THIS STATE OR A LAW  
24 ENFORCEMENT AGENCY OF A county, city, town or other political subdivision of  
25 this state, except that ~~at~~ THESE agencies of this state and all political  
26 subdivisions must comply with section 44-1373, subsection A, paragraphs 2  
27 and 5.

28 2. THE USE OF SOCIAL SECURITY NUMBERS BY AN AGENCY OF THIS STATE IN  
29 ITS ADMINISTRATION OF EMPLOYEE PAYROLL, EMPLOYEE BENEFITS AND WORKERS'  
30 COMPENSATION MATTERS, EXCEPT THAT THE AGENCY SHALL COMPLY WITH SECTION  
31 44-1373, SUBSECTION A, PARAGRAPHS 1, 2, 4 AND 5.

32 ~~2.~~ 3. Documents or records that are recorded or required to be open  
33 to the public pursuant to the constitution or laws of this state or by court  
34 rule or order, and this article does not limit access to these documents or  
35 records.

36 4. THE USE OF SOCIAL SECURITY NUMBERS BY THE INDUSTRIAL COMMISSION OF  
37 ARIZONA OR AN INTERESTED PARTY AS DEFINED IN SECTION 23-901, ON DOCUMENTS OR  
38 RECORDS RELATED TO A WORKERS' COMPENSATION CLAIM UNDER TITLE 23, CHAPTER 6,  
39 EXCEPT THAT THE INDUSTRIAL COMMISSION OR THE INTERESTED PARTY SHALL COMPLY  
40 WITH SECTION 44-1373, SUBSECTION A, PARAGRAPHS 1, 2, 3 AND 4.

APPROVED BY THE GOVERNOR APRIL 23, 2004.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 23, 2004.